

Thank you to the committee for the opportunity to enter into the record our support for this bill, HB456.

On April 21, 2008 the lives of many were forever changed with the death of our daughter, Sarah Fark.

Sarah had fallen asleep on the long bus ride home, as she often did. The bus driver failed to yield to a pickup towing a trailer loaded with gravel traveling at approximately 65 MPH and entered the highway from a gravel road. The pickup slammed into the side of the bus. Sarah was ejected from her seat through a side window and landed on the highway where she died from her injuries. She was 7 years old.

As are many of Montana's communities, Worden is a place where everyone knows everyone. A friend came to the door and told us that he had just seen our daughters' bus in an accident and Sarah was calling for her mother. As any concerned parents would we ran to our vehicle and sped the mile down the road to where the school bus accident was, never dreaming the horror that would be revealed in front of our eyes. Then after repeated efforts for an extensive period of time came the news: Our beautiful little girl was gone. Nothing more could be done.

Our family will never recover from this loss. One of our other daughters, Brittany (age 9) was also on that school bus. Although not seriously physically injured herself, she will have to live with the traumatic experience of watching her sister die in front of her. There were a total of 9 children on that bus. All close friends who have been traumatized by witnessing the loss of their friend and classmate. There have been nightmares and children who refuse to get on a bus. And there are parents who worry more now about the safety of their own children doing an everyday thing like riding a school bus.

Decades of data prove that the chances of surviving any type of automobile accident are dramatically improved through the use of seatbelts. The obvious way to improve the odds of survival and lessen injury is to prevent being ejected by wearing a seatbelt. This is true in any type of vehicle regardless of driver error or vehicle safety ratings.

We need to require that seatbelts be installed on school buses for the following reasons:

It will reduce the risk of death and bodily injury by ejection in an accident

- 1) It will reduce the risk of injuries due to children being propelled into other children upon impact or even sudden braking
- 2) It will reinforce the habit of using a seatbelt every time a child is in a vehicle of any kind creating life-long lasting habits.
- 3) It will create a less distracting environment for the bus driver as it would prevent children from standing up in their seats and moving around while the bus is still in motion.

We and the majority of those who have examined the facts agree ejection in this side impact accident was the major factor in the extent of injury our daughter suffered, resulting in her death. Sarah would be alive today had she been given the opportunity to be wearing a seatbelt on that day.

The children of Montana travel thousands of miles every day on school buses. It is and should be the state's obligation to make sure that they are transported in the safest manner possible, which means mandatory seatbelt requirements.

Thank you for your time and consideration.

RANDY & CAROL FARK

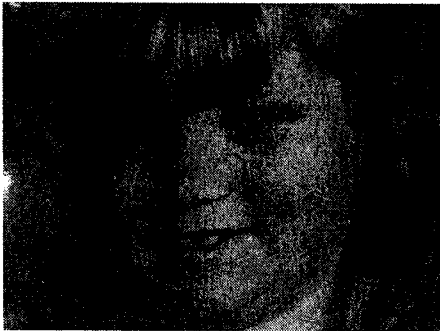
February 13, 2009 - Billings, Montana

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## SARAH FARK REMEMBERED



### TOOLS

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By Catherine Ross

Story Published: Apr 26, 2008 at 5:20 PM MST  
Story Updated: Apr 26, 2008 at 5:56 AM MST

### MULTIMEDIA

WATCH THE VIDEO

**WORDEN** - It was a celebration of life Saturday in Worden, as the public came together to remember the seven-year-old girl who died earlier this week in a school bus accident.

A devastated community filled the gymnasium at Huntley Project High School to honor the memory of Sarah Fark. Hundreds came together Saturday afternoon to say goodbye to a little girl called "Bear" by her family, who said the rainbow was her favorite color. Pastor Tim Wittman led the crowd in the Lord's Prayer and shared stories of Sarah's life. Her dream was to open a bakery, he said, where Sarah planned to only sell donuts, a dream cut tragically short earlier this week. "In everything that happened even at the scene of the accident, we don't know why this little girl was signaled out," said Wittman, of Project Community Fellowship. But Saturday, family and friends lovingly remember the first grader as a little girl who loved to race her bicycle around town. "Regardless of who's grieving, for whatever reason, that if we are a community we'll take that circle and we'll bring everybody inside that circle," said Wittman. So, Saturday afternoon, the community said farewell to Sarah with a poem written especially for her. It read: As the world surrounds you now, with sympathy grace and love, little Sarah skips with God and smiles at you from above. The Fark family says they'll remember Sarah as a precious gift.

View Oldest Comments First

Saturday, Oct 25 at 11:04 AM fark crew wrote ...  
yes we will

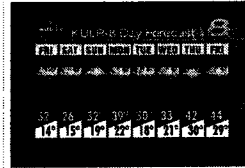
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NAME:

COMMENT: 500 CHARACTERS LEFT

Comments are moderated and will not appear on this story until after they have been reviewed and deemed appropriate for posting.

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25 °F  
Current Temp

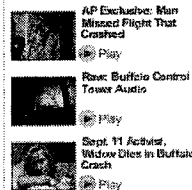
### Overcast

Wind : Northeast at 6.9 mph  
Humidity : 75 %  
Pressure : 30.09 in  
More Weather

### STATE FARM SKY CAM



### AP VIDEO



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### CAST YOUR VOTE

**The Senate has passed its version of the Stimulus Bill. A House-Senate conference committee will now find a compromise bill to go to the President's desk. Do you believe this package will help create jobs and end the recession?**

Yes  
No

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### MOST POPULAR

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# National Coalition For School Bus Safety

## STUDIES: SEATBELTS IN SCHOOL BUSES

ABOUT NCSBS

[click here to download and print this document \(PDF\)](#)

MEMBERSHIP

### Students Are At Risk!

There have been at least 62,000 pupil injuries in reported school bus accidents in the period 1991 to 1996. There were at least 59 passenger fatalities. (Accident Facts, National Safety Council 1992-97 editions; Fatal Accident Reporting System)

CRASH REPORTS

Research done by CNN shows that school bus passenger injuries have risen by 94% between 1985-96 nationally.

### Improved Safety

Research shows that high back padded seats and seat belts together provide greater safety for school bus passengers in an accident. Seat belts are most effective in side impact and roll over accidents where high back seats alone are least effective in preventing injuries. Seat belts and high back seats work together to increase passenger safety.

Studies: 1, 2, 3, 5, 6, 7

### It Can Be Done!

The states of New York and New Jersey and many school districts require all new school buses to be equipped with seat belts and high backed seats. Neither state reports any safety problem with belts.

PARENTS' STORIES

Districts with strong seat belt use, education and enforcement policies report significant compliance at all grade levels.

ACCIDENT DATA

Studies: 1, 2, 4

TELL A FRIEND!

### Cost!

A 65 passenger bus can be equipped with seat belts for an additional \$1,100. This figure is from a manufacturer's price quote.

### Evacuation!

The use of seat belts does not significantly increase evacuation time.

Current seat belt buckle design coupled with education on easy use of a cutting tool helps ensure that no child of school age will be trapped in a bus by their seat belt.

Seat belts will hold students in their seats during an accident. This means they will be more able to evacuate the bus quickly.

Studies: 1, 2

### Medical Community Support!

Seat Belts in school buses are endorsed by:

*Whole doc is good*

American Medical Association  
Physicians for Automotive Safety  
American Academy of Pediatrics  
College of Preventive Medicine  
American Association of Oral and Maxillo Facial Surgery  
American Society for Adolescent Medicine  
American College of Emergency Physicians

**Why High Back Seats? Because ...**

The original 1967 UCLA recommendation was for a 28' seat back with seat belts because they greatly increase the compartmentalization of passengers.

They cushion the heads of both seat belted and non-seat belted passengers in frontal impacts.

The American Academy of Pediatrics recommends a 28' seat back.

**Other Benefits!**

Availability and use of seat belts on school buses will reinforce the important safety habit of buckling up.

Seat belts will reduce the number of fatal actions such as putting arms and heads out of windows.

Studies: 1, 4

Students who are properly belted in are less distracting to the school bus driver. This could easily lead to fewer accidents.

Studies: 1, 2, 4

**STUDIES REFERENCED:**

1. Seat Belts in School Buses, NY Board of Cooperative Educational Services (BOCES), 1994
2. School Bus Safety Belt Study, New Jersey Institute of Technology, 1989
3. Transportation Research Board, National Research Council, Special Report No. 222, 1989
4. School Bus Safety Belts: Their Use, Carryover. Effects and Administrative Issues, NHTSA, 1986
5. Increasing School Bus Safety for New York State's Children Through Seat Belts and the Elimination of Standees!, 1986, New York State Legislative Commission on Critical Transportation Choices
6. School Bus Safety in New York State ... Children at Risk?, 1985, New York State Legislative Commission on Critical Transportation Choices
7. School Bus Passenger Protection, Severy, Brink and Baird, UCLA, 1967', 1972

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### Archived Story

#### Settlement reached in bus crash death

Posted on Feb. 11

By the Associated Press

**BILLINGS** - The Huntley Project School District has reached a nearly \$946,000 settlement in a wrongful death lawsuit filed by the family of a 7-year-old girl who was killed in a school bus crash, The Billings Gazette reported on its Web site Wednesday.

The lawsuit was filed by the parents of Sarah Fark, who died on April 21, 2008, when the school bus she was riding in pulled out in front of an oncoming pickup truck.

The school board trustees voted Tuesday to approve the settlement. Superintendent Dave Mahon said trustees did not know the terms of the settlement until an executive session held before Tuesday's vote.

The settlement was brokered among attorneys for the Fark family, the school district and its insurance company. On Thursday, the parties will ask a District Court judge to dismiss the wrongful death civil lawsuit.

The bus driver, Roxanne Shult, pleaded guilty to careless driving and failure to yield and was given a six-month suspended jail sentence. She was also fined \$600 and ordered to complete 180 hours of community service.

The school district's attorneys released the settlement agreement Wednesday, after The Gazette requested the document.

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LT. GOVERNOR

House Bill 388, Impose oil and gas surtax for quality educator energy for education payment  
House Education Committee, February 13, 2009, 3:00 PM

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Mr. Chairman and members of the committee, for the record, my name is Jan Lombardi, and I am Governor Brian Schweitzer's education policy advisor.

It is my pleasure to be here this morning in support of HB388 sponsored by Representative Van Dyk that provides the committee a mechanism to support quality public K-12 education.

Governor Schweitzer wants to build a strong academic future for all Montana's children and build a ready workforce for tomorrow. We know that education matters from the youngest Montanans getting ready for school and having access to full-time kindergarten to young adults hoping to attend and afford college.

Quality educators are the backbone of a quality K-12 education system. And Montana schools have difficulty attracting and retaining teachers. Prior sessions of the legislature have defined a quality educator to include teachers and other licensed professionals needed to meet Montana accreditation standards. According to the Office of Public Instruction, Montana has more than 143,000 students and more than 12,500 licensed staff working in Montana schools.

As mentioned, HB 388 can dedicate a natural resource development revenue stream to public education. In the form of a Quality Educator "Energy for Education" Payment, the revenue from this bill could be distributed to school districts using the quality educator definition, currently in statute. It is important to note that the quality educator definition and payment structure is designed to provide optimal flexibility to support each school district, regardless of size, to make its own local decision on how to best recruit and retain necessary staff.

Nancy Hall from the Governor's Office of Budget and Program Planning will explain the mechanics of the quality educator definition as it applies to the energy for education payment outlined in this bill.

On behalf of Governor Brian Schweitzer, I ask this committee to support this energy for education opportunity for teachers in Montana schools to prepare our kids to be competitive in the 21<sup>st</sup> Century. Thank you.